

CHARLES P. DIAMOND (SB # 56881)
LAW OFFICES OF CHARLES P. DIAMOND
cdiamond@omm.com
1999 Avenue of the Stars, 8th Floor
Los Angeles, California 90067-6035
Telephone: +1 310 553 6700
Facsimile: +1 310 246 6779

RICHARD P LASTING (SB # 53950)
RICHARD P LASTING LAW OFFICES
richardplasting@sbcglobal.net
315 East 8th Street, Suite 801
Los Angeles, CA 90014
Telephone: +1 213-489-9025
Facsimile: +1 310-626-9677

Attorneys for Defendant
Juan Sanchez

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL LERMA,, et al.,

Defendants.

Case No. 2: 18- CR-172-GW-4

**EX PARTE APPLICATION OF
DEFENDANT JUAN SANCHEZ
FOR APPROVAL OF
SUPPLEMENTAL
AUTHORIZATION FOR
PAYMENT TO DR. JUDY
MELINEK**

HEARING DATE: NONE
SCHEDULED
TIME: N/A
COURTROOM: 9D
HON. GEORGE H. WU

Defendant Juan Sanchez, on behalf of himself and the three other defendants who proceeding to trial on February 25, 2025, seeks an order authorizing the payment of an additional \$10,875 to expert forensic pathologist Dr. Judy Melinek. The application is based on the attached declaration of counsel, who has been authorized to represent that the government takes no position on the application.

1 Dated: April 8, 2025

2
3 Respectfully submitted,

4 RICHARD J. LASTING
5 CHARLES P. DIAMOND
6 AMY R. LUCAS

7 By: Charles P. Diamond

8 Charles P. Diamond

9 Attorneys for Defendant
10 Juan Sanchez

DECLARATION OF CHARLES P. DIAMOND

I, CHARLES P. DIAMOND, declare as follows:

1. I am counsel to Juan Sanchez, one of the defendants in this action. I submit this declaration in support of an application made on behalf of all defendants to increase the previously approved authorization for payment to expert witness Dr. Judy Melinek of \$40,000 by an additional \$10,875.

2. The Court initially approved payment of up to \$15,000 for the services of Dr. Melinek. As trial approached and it became clear that Dr. Melinek's testimony would be a central part of the defense, the parties sought an additional \$50,250 in compensation. Counsel for the parties considered this appropriate in part because of the belief that the case would likely turn on the forensic pathology testimony, and in part because the Court's postponement of the trial, at the government's request, from December 2024 to February 2025 meant that the work would have to be done at long distance (Dr. Melinek lives part time in New Zealand, where she works six-months out of the year as a contract medical examiner). On March 4, 2025 the Court approved the request but only up to a total of \$40,000, exclusive only of Dr. Melinek's travel expenses (but not per diem) from and to New Zealand.

3. For work done through March 12, 2025, Dr. Melinek submitted CJA-31 requests for a total of \$39,450, leaving an available balance of \$550. She subsequently testified over the course of two days (March 13 and 14, 2025), spending a total of 14.5 hours on or waiting to take the stand (her testimony was interrupted to take a witness out of order). By this application, the parties seek the Court's authorization to have her paid for her trial time.

4. Approval of an additional \$10,875 in fees will still leave Dr. Melinek substantially under-compensated for time spent on the matter and expenses incurred as a result of it. Because it appeared that the government would rest earlier than it anticipated, counsel arrange for Dr. Melinek to travel to Los Angeles

1 on March 8, 2025. She spent much of the following week filling time, both here
2 and in New York, until she was needed. As for the New Zealand travel, she billed
3 only 6 hours of travel time (at half her hourly rate) for a roundtrip that took
4 roughly 48 hours. Other than transportation provided by the government, she has
5 defrayed just about all of her travel and per diem expenses.

6 5. Attached hereto as Ex. A. is a copy of Dr. Melinek's invoice for the
7 time she spent testifying or waiting to testify.

8 6. On April 1, 2025 I exchanged email correspondence with AUSA Kyle
9 Kahan concerning this application. Mr. Kahan authorized me to represent that the
10 government takes no position on the matter.

11 I declare under penalty of perjury that the foregoing is true and correct.

12 Executed this 8th day of April, 2025 at Los Angeles, California.

13 /s/ Charles P. Diamond
14 CHARLES P. DIAMOND
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT A



3739 Balboa Street #102
San Francisco, CA 94121

E drjudymelinek@pathologyexpert.com

T 415/850/7056

W www.pathologyexpert.com

INVOICE

BILL TO

Chuck Diamond
USA v Lerma
1999 Avenue of the
Stars, 8th Floor
Los Angeles, CA 90067

INVOICE # 2979

DATE 03/19/2025

DUE DATE 04/18/2025

TERMS Net 30

DATE	DESCRIPTION	QTY	RATE	AMOUNT
03/13/2025	Trial: Courthouse Waiting Time and Testimony	7	750.00	5,250.00
03/14/2025	Trial: Courthouse Waiting Time and Testimony	7.50	750.00	5,625.00

Please make checks payable to PathologyExpert Inc.
EIN #46-2971456. Payments are due within 30 days
after which a 2% late fee will be added.

BALANCE DUE

USD
10,875.00